The A. F. of L. Weekly News Service gives a brief summary of important matters affecting labor, occurring in the industrial, legislative and judicial fields, and such other information that will benefit the trade union movement.

AMERICAN FEDERATION OF LABOR

WEEKLY NEWS SERVICE

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Better that we err in action than refuse to perform.
—Simms.

WHOLE NO. 1010. WILLIAM GREEN, President WASHINGTON, D. C., SATURDAY, AUGUST 16, 1930 FRANK MORRISON, Secretary VOL. 20, NO. 23.

LABOR'S NON-PARTISAN PLAN IS COMMON RULE

At a meeting of the executive board Anti-Saloon League of America, Dr. F. Scott McBride, general superintendent, said:

"Within the rights of citizenship and democracy we will use every endeavor to elect a dry Congress in both branches, and keep an avowed dry in the White House."

No one can object to any group of citizens voting for their friends.

The American Federation of Labor was the first to publicly champion the non-partisan policy and to call on trade unionists and sympathizers to vote for friends of remedial legislation and defeat opponents.

Interests that have always secretly been non-partisan professed to be shocked. In an attempt to frighten workers back into partisan camps, they were charged with attempting to "coerce lawmakers." This is un-American, we were told.

Citizens generally, however, have copied labor's plan that is now applied by wets, drys, business men, farmers, the professions and other groups.

Increased non-partisanship has weakened party lines and party discipline that is now only advocated by privilege seekers.

The frank boast of Dr. McBride no longer attracts attention. It has become a national characteristic. Its success is shown in such important changes as popular election of Senators, primary election laws, women's suffrage and the prohibition amendment.

If trade unionists expect relief from the labor injunction they should boldy reaffirm their faith in non-partisanship. They should spiritedly declare they will oppose any candidate who will not pledge to vote against government by injunction. They should vigorously apply this theory and keep in mind that those who oppose their election program use the same system.

It is the old scheme of employers opposing trade unionism while they, themselves, are united in strong organizations. They picture to workers the beauties of individual effort, but these advisors fail to practice what they preach.

The workers should be just as zealous and as determined as other voters in seeing that only justice-loving lawmakers are elected and that weasel agents of reaction are retired to private life.

Campaigns to elect friends of labor also have an educational value, in that they mold the public mind to the need for legislative changes. Intelligent public opinion is the foundation for law-making.

Legislators rarely abandon old ideals unless there is a driving force "back home."

MINERS' WAGE SCALE APPROVED BY UNION

Scranton, Pa., Aug. 16.—A convention of anthracite miners, representing the three hard-coal districts, approved the new wage agreement, recently negotiated in New York.

Under the agreement there will be no wage reductions, working conditions will not vary and a modified form of check-off is provided. A committee of six operators and six unionists will consider any question that may arise during the five-year life of the agreement, which becomes effective September 1.

Just before the miners' convention closed, President Lewis declared that the new contract is a vindication of collective bargaining. The operators, he said, have more than a billion dollars invested in the industry and the agreement means an annual payroll in the anthracite region of $300,000,000, or nearly $2,000,000,000 during the period of the pact. All of which will be paid to union men, he pointed out.

SHIP OWNERS QUARREL; MANY OUTSIDE "UNION"

Washington, Aug. 16.—T. V. O'Connor, chairman of United States Shipping Board, warned ship owners in the intercoastal trade that if they don't get together and end the "deplorable situation" in this industry, the board will recommend that the next Congress take action.

The ship owners operate vessels along the nation's various coasts. Some of them belong to a "union," known as the Intercoastal Shipping Conference, and the non-members are charged with demoralizing conditions, just as non-union workers operate in shop, mill and mine.

The funny part of this situation is that leading advocates of a ship owners' "union" are themselves bitter foes of unionization when their employes are affected.

Non-union and strikebreaking employes are encouraged by them; but they object when ship owners apply the same policy.

A. F. OF L. IS 50 YEARS OLD; NEXT CONVENTION OCT. 6

Washington, Aug. 16.—The call for the fiftieth convention of the A. F. of L., at Boston, starting Monday morning, October 6, has been issued by the Executive Council. Meetings will be held in the convention hall of the Statler Hotel, which will be convention headquarters.

The Executive Council appeals to all national and international unions, State Federations of Labor, city central bodies and local organizations to make special efforts to be represented at this fiftieth convention.

"For half a century," the officials state, "the organized workers have been aggressively carrying on the campaign of organization.

"The importance of our movement and the duty of the hour and for the future demand that every organization entitled to representation shall send its full quota of delegates to the Boston convention, October 6, 1930."

A reduction of one-half of the regular fare for the return railroad trip will be available when 150 delegates and visitors secure certificates when they purchase their going tickets. The validating agent will honor only certificates issued with tickets purchased for Boston as the destination.

President Jewell of the Railway Employes Department has furnished for the information of delegates the following list of railroads which have agreements with the shop crafts' organization affiliated to the A. F. of L.:

Ann Arbor; Baltimore & Ohio; Big Four; Buffalo, Rochester & Pittsburgh; Boston & Albany; Canadian National; Canadian Pacific; Chicago & Alton; Chesapeake & Ohio; Chicago Great Western; Chicago, Indianapolis & Louisville; Chicago, Milwaukee, St. Paul & Pacific; Chicago & Northwestern; Chicago, St. Paul, Minneapolis & Omaha; Elgin, Joilet & Eastern; Erie, Grand Trunk, Hocking Valley, Michigan Central, Mobile & Ohio, New Orleans & Great Northern, New York Central, Pittsburgh & Lake Erie, Seaboard Air Line, Southern Railway System lines, Western Pacific.

World Depression Ends Taffy Talk; Huge Stock Issues May Delay Turn

New York, Aug. 16.—Reports of world-wide unemployment has ended optimistic statements that have been issued from banking circles since last Fall's stock market crash.

Statesmen have also ceased assuring the people that "business is fundamentally sound" and that recovery is in sight. The theory that good business is a frame of mind, and that every one should ignore economic facts was incessantly urged. This has been abandoned.

European cables show that the depression is world wide and that more than 6,000,000 workers are unemployed in Great Britain, Germany, France and other countries.

The British Electrical Manufacturers' Association shocked optimists by the statement that the depression will last through next year, and that the United States will require a longer time because of the enormous increase of its productive capacity and the overcapitalization of its earning assets.

Banking interests, in comparing the depression of 1921 with the present depression, call attention to this increased capitalization, which demands additional profits.

Shares of the General Electric Company increased from 1,721,943 in 1921 to 2,600,000 in 1930. Public Service Corporation of New Jersey jumped from 300,000 to 5,386,152 shares, and American Telegraph and Telephone from 5,513,852 to 18,078,000 shares. These increases are mainly among industrials and utilities that have speeded up workers and introduced labor-displacing machinery and scientific processes to meet demands for increased dividends.

MASS PRODUCTION IS COSTLY WHEN OUTPUT CAN'T BE SOLD

New York, Aug. 16.—The mass production system, in times of depression, is an added cost to manufacturers because of idle machinery, says Arno H. Johnson, writing in the Annalist, financial journal published in this city.

Mr. Johnson points out that workers can be laid off in times of depressions, but overhead charges and interest on costly machinery continues.

"The labor cost," he says, "has come to represent a smaller share of the cost of production, while fixed charges, such as interest on investment, machinery and plant facilities, have become a relatively larger item.

"The important point is the fact that in a period of decreasing volume, mass production has a more serious effect, because when labor costs represented a large share of the cost of production laborers could be laid off and the cost of production could be decreased proportionately with the decrease of volume.

"Now, when machines represent a large proportion of the cost, we have idle machine time which is charged into the cost of those units produced, increasing the cost per unit during the period when volume drops."

Under the old system the laborer could be given a vacation, but under mass production the idle machine eats up interest and other overhead charges. "This," said Mr. Johnson, "makes a drop in volume a serious thing to a manufacturer," who is confronted with the "great problems of maintaining high volume of production and the actual and real shrinkage in the ability of the consumer to buy at the same rate that he has purchased in the past."

A SHOCKING SPECTACLE

The Mooney case is a shocking spectacle to every citizen who has faith in our courts.

Mooney was sentenced to be hung, but was imprisoned for life when agitation against the trial methods began.

After the trial ended it was proven that Oxman, Oregon cattleman and star witness for the State, committed perjury when he testified that he saw Mooney and four other persons drive in an automobile to the scene of the bombing. Oxman said Mooney and Billings carried a suit case.

It is now known that Oxman was at Woodland, Calif., 90 miles from San Francisco, at the time he said he saw that automobile.

The perjury was not proven until after the trial ended. Under California law appeals in such criminal cases must be based on the record of the trial. This makes it impossible to secure a new trial and Mooney's release depends upon the governor.

Regardless of the bitterness, hate and confusion that has entered this case Oxman's perjury is an indictment against men who juggle a court of justice for base ends, and who nearly hung a human being.

The infamy of this frame-up was emphasized when former Assistant District Attorney Brennan, who prosecuted the two men, told members of the State Supreme Court that the defendants had been tried on their general reputations "and outside circumstances."

INCOMES TAXED IN AUSTRALIA; FUNDS WILL BE USED FOR IDLE

Washington, Aug. 16.—Unemployed relief funds are being raised in the State of Victoria, Australia, through a levy on wages and an additional tax on incomes, according to information forwarded to the Department of Commerce by Wilbur Keplinger, United States consul at Melbourne.

The Victorian law provides for a tax of 2 cents on a wage of $5 a week, with a larger tax on higher wages. The tax on incomes range from about $8.45 on yearly incomes of $1,750 to about $320 on incomes up to $25,000. These special taxes are to be in force for a year and it is expected that approximately $5,000,000 will be raised. The funds will be used for public works. The law also provides sustenance for persons for whom employment can not be found.

The Victorian plan differs from the British unemployment insurance act, which provides for money relief to unemployed. The British system is compulsory and was established in 1912. It applied to few industries, but since then has been enlarged. Varying contributions, based on ages, are made to the insurance fund by working men, women and children. Similar contributions are made by employers and the government. In the case of men between the ages of 21 and 65 years, the government contributes 15 cents a week, the employer 16 cents and the workers 14 cents. The employers' and workers' contributions are paid through stamps issued by the post office, which are bought by the employer. He deducts the workers' contribution from his pay.

This system is called a "dole" in the United States by persons who picture idle British workers walking up to the national treasury every week and securing benefits rather than accepting work.

The facts are that the worker pays approximately one-third of the benefit, and this can not be withdrawn if he refuses employment, or violates any other strict regulation that surrounds distribution of the fund.

CLOAK PIECEWORK CAN'T BE ENFORCED

New York, Aug. 16.—Piecework in the cloak industry can not be re-established for two years, and then only with the consent of the International Ladies' Garment Workers' Union, ruled Raymond V. Ingersoll, impartial chairman of the industry.

Certain manufacturers would smash the agreement with the union, and are issuing public statements that workers prefer piecework.

Chairman Ingersoll upheld the contention of Benjamin Schlesinger, president of the union, that the manufacturers should inform the union of their purposes, before rushing into public print. The unionist declared that the manufacturers' statements are "propaganda bunk."

"It is not my understanding," said Mr. Ingersoll, "that it is within the power of the impartial chairman to rewrite or modify the agreement. The agreement runs until 1932, when, on three months' notice of either party, it may be reopened."

LABOR GIVEN CREDIT FOR HOLDING WAGES

Williamstown, Mass., Aug. 16.—Organized labor was given credit for holding wage standards by Dr. Edwin F. Gay of Harvard University at the Institute of Politics here.

Past depressions in this country have been met by wage reductions, according to the speaker, but the protests of organized labor have resulted in the establishment of "the economy of high wages."

This policy, if continued, "is likely to be adopted more widely in other countries," said Dr. Gay. As a result, he added, labor has a better chance to throw up a defensive mechanism than ever before and to benefit by the lower cost of living.

TRADE UNION REVIVAL HELD BY NEGRO CLERIC

Birmingham, Ala., Aug. 16.—An 11-day trade union revival is being conducted here among Negro workers under the direction of Rev. George Reed, a Negro minister. He is assisted by the A. F. of L. Southern organizing committee.

The meetings are held in a public park and are attended each night by from 1,000 to 1,500 Negro men and women. The clergyman declares that the Scriptures authorize the association of workers, and uses a Bible text each evening to defend the trade union movement.

POPULAR CONTROL IS BEST SYSTEM

Williamstown, Mass., Aug. 16.—Representative democracy, with all its faults, is superior to experiments in dictatorships now being tried in Russia, Italy, Jugo-Slavia and Turkey, said Prof. C. Delisle Burns of Glasgow, Scotland, University, in an address to the Institute of Politics.

The chief asset of democracy is not the commonly cited benefit that each citizen has the right to make his wants known and felt by his vote, but the opportunity that democratic forms of government gives to every citizen to contribute his share toward the social and political welfare of the nation, said Prof. Burns.

This, the speaker, pointed out, is in direct contrast to the idea of Lenin and Mussolini that the people as a whole neither know what is good for them, nor can contribute materially to the achievement of their own good, but must be subjected to the dictatorship of the expert.

The speaker questioned just how successful, from a practical standpoint, the Fascist rule in Italy and the Communist regime in Russia actually were, and concluded that in the long run such governments could not be successful since the experts were selected on the basis of their own opinion of themselves, a very dangerous method of choice.

"Where a small group controls the government of large numbers without reference to the choice or desires of those large numbers—even if the control is intended for their good—there is a dictatorship," said Prof. Burns.

SMALL BUSINESS MEN FEAR PACKERS' TRUST

Minneapolis, Aug. 16.—The National Association of Retail Meat Dealers, at their convention here, opposed meat packers entering the retail business.

Under an agreement, known as "consent decree," signed by the packers and Attorney General Daugherty, in the Harding regime, the packers promised to keep out of the retail business. They are now endeavoring to have the courts annul that agreement.

Senator Schall of this State told the meat dealers, at their convention, that "if the packers are allowed to go into meat retailing they will have an absolute monopoly on the entire meat industry within a few years.

The packers who want the decree changed are known as the "Big Four." They are the Swift, Armour, Cudahy and Wilson corporations.

CITRINE VISITS U. S.

Washington, Aug. 16.—Walter Citrine, secretary British Trades Union Congress, and Mrs. Citrine visited A. F. of L. headquarters. They were in the city several days and are returning home. Mr. Citrine has been absent from his London office for several months because of ill health. He is hopeful that economic conditions in Great Britain will change for the better, but could not speak authoritatively of present-day developments.

WINNING IN SOUTH

Durham, N. C., Aug. 16.—Trade unionists in this city point to their success as proof that the A. F. of L. Southern organizing campaign is succeeding. Since February these unions have been organized: Sheet metal workers, textile workers, painters and two unions of tobacco workers. The Barbers' Union increased their membership 100 per cent.

FORD'S MAIMED WORKERS ASK FOR STATE SUPPORT

Detroit, Mich., Aug. 16.—Maimed workers at the Ford plant who have been discharged are applying for state workmen's compensation. The Detroit Labor News says:

"Once again the keen and penetrating rays of fact have punctured the humanitarian claims of the motor mogul."

"During the past few weeks," the labor paper continues, "many of these workers have been fired because their days of usefulness were passing. Unable to secure employment elsewhere, the men, suffering from hernia, crippled hands, feet, legs and numerous other ailments resulting from their labor at Ford's, made application for state workmen's compensation."

Ford officials profess ignorance of this situation, but said they will "check up" any claim presented.

"What the Ford Company will do is conjecture," said the Labor News, "but a firm that throws its derelicts upon the State for sustenance, after they have been rendered industrially useless while in its employ, should hardly lay claim to philanthropy and humanitarianism."

FACTORY JOBS DROP

Albany, N. Y., Aug. 16.—A 4 per cent decrease in factory employment in this State between the middle of June and the middle of July is reported by Industrial Commissioner Frances Perkins.

Seasonal dullness and general depression occasioned this decline, said Miss Perkins. The only other year since 1914 when the decline for the corresponding period was as great was 1924, it was stated.

POLISHERS ARE WINNING

St. Louis, Mo., Aug. 16.—Organized metal polishers are winning their strike against wage reductions. Six large shops cut rates 10 cents an hour. Five of them changed their minds.

HIGH COURT DECISION WORRIES PULLMAN CO.

Chicago, Aug. 16.—The United States Supreme Court's decision against the company "union" in the case of the Texas & New Orleans Railroad versus Brotherhood of Railway Clerks is worrying the Pullman Company.

This monopolistic corporation has set up a company "union" into which it drives colored porters and maids, and is now alarmed lest the court's decision wrecks their scheme.

The company "explains" the decision in a statement to employes, who are assured that the court's rule "does not in any way affect or change the existing relations between the company and its employes."

A. Philip Randolph, general organizer of the Pullman porters affiliated to A. F. of L., answers the company's claim. He shows that these workers are denied the right to select representatives, just as did the Texas & New Orleans Railroad. Intimidation and coercion maintain the Pullman "union," and the company pays all expenses of this fake institution.

The manager of the company "union" is paid by the company, and company-picked employes who serve as representatives of their fellow employes at so-called "wage" conferences are paid $2.50 a day by the company.

EDGERTON HOISTS OLD SCARE CROW

Charlottesville, Va., Aug. 16.—The old scare crow of "individual effort" and trade union restriction of output was raised by John E. Edgerton, president National Association of Manufacturers, at the Institute of Public Affairs.

Edgerton rehashed the yarn of 30 years ago that was used by the defunct Citizen's Alliance.

Without a trace of humor this anti-unionist insisted organized labor restricts output. He failed to state that even were this true trade unionists would be following the example of their employers who frankly announce that they favor this program, which they call "stabilization."

COURTS AID UTILITIES; NEW THEORY HARMFUL

Charlottesville, Va., Aug. 16.—Courts ignore the public when they rule that utility rates should be based on present replacement values, rather than on capital invested, said Julius T. Muench, city counselor of St. Louis, in an address to the Institute of Public Affairs.

Mr. Muench declared that the long line of decisions ending with the United States Supreme Court's ruling in the O'Fallon railroad case establishing the theory of rates based on present replacement values, runs contrary to public interest.

"The wastefulness and extravagance of a renewed valuation every time an application for a change in rates is made is one of the worst features of present-day utilities regulation," he said. "If the capital invested were used as the basis for the return, as Justice Brandeis proposes, then it is evident we would be dealing with facts rather than with estimates and guesswork.

"What the public need is utilities that will render the most efficient service at the lowest possible charges. What the public actually get, in many cases, it a utility operated primarily with a view to its financial exploitation. What the utilities are entitled to is a fair return on the capital fairly invested.

"The tremendous concentration of capital through the medium of holding companies, with all the opportunity this affords for the employment of high-powered valuation engineers, accountants and expert testifiers, has placed the public, with its traditional penuriousness, at a decided disadvantage," said Mr. Muench. He declared that a change in public sentiment is the only remedy for this condition.

UNIONISTS IN SOUTH WILL STICK TO JOB

Greensboro, N. C., Aug. 16.—"The A. F. of L. has come into the South until the workers are organized," said Francis J. Gorman, vice president United Textile Workers, in an address at a mass meeting in this city.

The unionist described conditions in local textile mills as "disgraceful," and called on the workers to improve their situation by organizing.

Many workers have been victimized by mill managements, and Gorman declared it may be necessary to erect a tent city to care for evicted families.

"If we are forced to this action it will stand as an example of industrial brutality and exemplify the policy of rule or ruin," he said.

PENSION PLAN URGED TO REPLACE ALMS HOUSE

Birmingham, Ala., Aug. 16.—The old-age pension plan costs taxpayers less money than the poorhouse, says the Birmingham News.

STATE UNIONS TO MEET

Salt Lake City, Aug. 16.—The annual convention Utah Federation of Labor will convene in this city on Monday, September 8.

Shorter hours, compulsory education, free text books, abolition of the contract system on public work and the labor injunction will be major issues.

BRITISH IDLE INCREASE

London, England, Aug. 16.—The government's unemployment report as of July 28 gave a total of 2,011,467. Slightly more than a year ago the number was 857,338.

SECURE FIVE-DAY WEEK

Arkansas City, Kans., Aug. 16.—Organized carpenters here established the five-day week.

TEAMSTERS GAIN

Harrisburg, Ill., Aug. 16.—Teamsters reduced hours and increased wages.

WOMEN'S WAGE RATES MUST INCLUDE COSTS

Washington, Aug. 16.—In the absence of statistics on living costs and the purchasing power of money, it means nothing to say that Japanese working women received 46 cents a day in 1920 and Canadian working women received from $10 to $25 a week in 1927, said Miss Mary Anderson, director United States Women's Bureau.

"What would be significant," said the director, "is wage material more nearly comparable as to date and a knowledge of how much of the necessities of living in Japan and Canada such wages will buy. The information secured by those working on our cost-of-living project will help us in this regard, but even these data will not solve the problem.

"If we are interested primarily in the adjustments of the persons receiving those wages, we must know for each country how the worker's income and standard of living compare with the income and standard of living of other persons. In other words, we must know how much the women wage earner can buy and how her purchases compare with those of other women in her own land.

"Comparisons of these ratios of income and expenditures for different countries would give some idea of the relative position of working women."

EUROPE'S WORKLESS TOTAL 6 MILLIONS

New York, Aug. 16.—Unemployment has reached a new high mark in Europe, according to Associated Press cables.

Germany's workless number 2,757,000, and Great Britain's unemployed officially passed the 2,000,000 mark last month. The latter figure is the highest since 1921. It is estimated that in Great Britain, Germany, Austria, Hungary, Italy and France there are 6,000,000 idle.

Determined efforts are being made by these countries to check the growing lists of jobless and government unemployed insurance is costing huge sums.

MEN'S IDEALS FADE WHEN THEY ARE 50

New York, Aug. 16.—"The cares of the world pull men down and cause them to lose their ideals," said Rev. Dr. Francis J. McConnell, bishop Methodist Episcopal Church, in a sermon in this city.

"We are forever making adjustments and compromises," said the clergymen. "Without cynicism it can be said that today idealism seldom survives 50 years of age. Indeed, it has been observed that if a man's idealism does survive this age his associates think him erratic.

"It is impossible to say at just what time of life these ideals slip from the grasp, so imperceptible is their receding. That is all the more reason why we should be doubly on guard against these circumstantial forces of life that cause us to fall short of our mark."

UPHOLSTERERS URGE FIVE-DAY WORK WEEK

New York, Aug. 16.—Upholsterers throughout the country are preparing for the Fall season by including the five-day work week in new wage agreements, according to William Kohn, president of that international.

The General Executive Board is considering several of these proposals. President Kohn is stimulating the various locals to greater activity, and as a result substantial wage increases are recorded in every section.

MILLER AND BAKER GRAB PROFIT OUT OF FARMERS' 62-CENT WHEAT

Denton, Mont., Aug. 16.—The wide spread between 62-cent wheat, sold by farmers, and the price received by the miller and baker is one answer to the question, "What's the matter with farmers?"

Teagarden's Recorder, published here, shows that four and one-half bushels of milling wheat make one barrel of flour. The farmer received, the latter part of July, 62 cents a bushel, or a total of $2.79, for this wheat.

"But when the wheat has been milled into flour, and then baked into 200 loaves of bread weighing one and one-half pounds each, the farmer pays $30," says the Recorder.

"Where does the spread come in? Not from the retail merchants, because they pay the baker 12½ cents per loaf, delivered at the railroad station in Denton. The margin is so small, in fact, as to eliminate profit entirely when overhead charges are deducted.

"Who, then, does get the profit upon the price of the people's bread?

"Just two, the miller and the baker. The miller charges the baker $6 per barrel for the wheat he uses, and for which he has paid the grower not to exceed an average of $2.75.

"Bakeries in Lewistown pay $6 per barrel for the flour and charge Denton retailers $25.

"Four loaves of bread pays for a bushel of wheat and a bushel of wheat makes 44 loaves of bread. And the extortion in mill feeds is equally great."

PINKERTON SPY WANTS PAROLE; THREE UNIONISTS DODGE TRAP

Washington, Aug. 16.—The reported parole application of Harry Orchard, Pinkerton spy, who is serving a life sentence in an Idaho penitentiary for the assassination of former Governor Steuenberg of that State December 30, 1905, is of especial interest because of the agitation for the release of Mooney and Billings, who were convicted on perjured testimony.

Steuenberg was killed by a bomb placed at his home. This was one of the many outrages connected with the Coeur d'Alene and other strikes in those turbulent times.

Officers of the Western Federation of Miners—Charles H. Moyer, president; William D. Haywood, secretary, and George Pettibone, member of the union's general executive board—were secretly arrested in Denver, placed on a special train and rushed to Idaho, where they were charged with being implicated in the death of Steuenberg. The Western Federation was not affiliated with the A. F. of L., but the kidnapping aroused trade unionists, and protest meetings were held throughout the country.

The three unionists were imprisoned 15 months. Haywood was tried first. The case opened May 9, 1907. He was acquitted July 28. The defense forced Harry Orchard, leading State witness, to confess that he threw the bomb. Orchard acknowledged he was a gambler, murderer and all-round criminal. The defense also claimed that James McFarland, Pinkerton detective, "coached" Orchard, and that the mine owners employed the Pinkertons to destroy the union.

Orchard's attempt to involve the three defendants was not supported, and the State relied, as in the Mooney-Billings cases, to create a public opinion hostile to the defendants by claiming they were radicals.

With the acquittal of Haywood, the other men were not tried and were finally released.

Haywood and Pettibone are dead. Moyer is living in the West since his retirement as president of the International Union of Mine, Mill and Smelter Workers, affiliated to A. F. of L., and successor of Western Federation of Miners.

The charges against the three men and methods employed to convict them, are similar to those used against Mooney and Billings. In both cases the leading witnesses for the prosecution were Harry Orchards.